

Regulations

The federal government promulgated new regulations for used oil on Sept. 10, 1992. The regulations aim to protect human health and the environment, and promote recovery of used oil.

Idaho adopted these used-oil regulations on Feb. 11, 1994. Used-oil handlers (transporters, processors, generators and burners) are subject to all applicable spill prevention, control, and countermeasures listed in 40 CFR part 112, and the Underground Storage Tank Standard in 40 CFR part 280, in addition to the used-oil requirements. Depending on the activities your facility engages in, other regulations may apply as well. This brochure is intended as a guide to the used-oil regulations. If you would like to see a copy of the regulations, call the RCRA hotline at 1-800-424-9346. You can also look in the Federal Register from Sept. 10, 1992 or 40 CFR part 279. Both of these publications are available in most libraries.

Used-oil information series

This is part of a series of brochures on used oil. Other brochures cover used-oil regulations for generators, burners of off-specification used oil, and obtaining an EPA identification number in Idaho.

Requirements for used-oil fuel marketers

Marketers must:

- keep copies of analyses of the used oil or other information used to make the determination;
- keep all records for a minimum of three years;
- get an EPA identification number; and
- get an off-specification burner certification before shipping off-specification used oil to a burner.

Records of off-specification used oil shipments include:

- names, addresses, and EPA ID numbers of the transporter and burner; and
- quantity and date of used oil shipments.

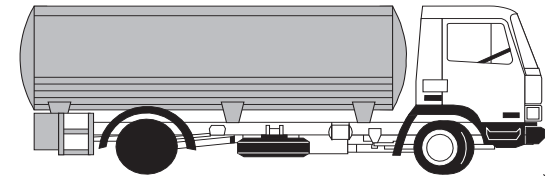
Records of on-specification used oil shipments include:

- name and address of the receiving facility;
- quantity and date of used oil delivered; and
- cross-reference to analysis or other information used to make the on-specification used oil determination.

For more information

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Your Guide to Idaho's Regulations for Transporters of Used Oil



What is a transporter and a transfer facility?

A transporter is any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of used-oil transfer facilities. Used-oil transfer facilities are transportation related facilities including:

- loading docks;
- parking areas;
- storage areas; and
- other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days.

The regulations governing used-oil transporters and transfer facilities are found in the Code of Federal Regulations (CFR), 40 CFR part 279 subpart E.

What are used-oil fuel marketers?

A used oil fuel marketer is any person who:

- directs a shipment of off-specification used oil from their facility to a used-oil burner; or
- first claims that used oil to be burned for energy recovery meets the specifications set forth in 40 CFR §279.11

Requirements for transporters

If your facility engages in either one of the above marketer activities, then your facility is subject to 40 CFR part 279 subpart H, in addition to subpart E (see back of brochure).

Requirements for used oil transporters and transfer facilities:

Used oil transporters:

- may consolidate or aggregate loads of used oil for purposes of transportation;
- must obtain an EPA identification number and store used oil only in tanks and containers in "good condition," as defined in 40 CFR §279.22;
- must mark above-ground storage tanks, containers, and fill-pipes with the words "USED OIL;"
- must store used oil in areas with oil-impervious flooring and secondary containment structures, such as berms or dikes;
- must clean up any used-oil spills or leaks to the environment;
- must comply with Department of Transportation (DOT) regulations, including hazardous materials requirements, where applicable;
- may store used oil in transfer facilities for a maximum of 35 days, unless the facility

also complies with 40 CFR subpart F—Standards for Used Oil Processors and Re-refiners;

- who do not recycle used oil, but dispose of it, must comply with 40 CFR §279.81—Disposal of Used Oil;
- may NOT process used oil, with the following exception:
 - transporters may conduct incidental processing operations that occur in the normal course of used-oil transportation (e.g. settling and water separation), these operations may not be designed to produce (or make more amenable for production) used-oil derived products or used fuel oil.

Used oil may NOT be applied as a dust suppressant at any time (40 CFR §279.82).

